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4 BILL NO. Z-73-10 -52


ZONING ORDINANCE NO. Z-

6 AN ORDINANCE amending the City of Fort
7 Wayne Zoning Map No. JJ2

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is
11 hereby designated a R3 district under the terms of Chapter 36,
12 Municipal Codes of the City of Fort Wayne, Indiana, 1946, as
13 amended by General Ordinance No. 2836 and amendments thereof,
14 and the symbols of the City of Fort Wayne Zoning Map No. JJ2
15 referred to therein, established by Section 9, Article III of
16 said Chapter as amended are hereby changed accordingly, to-wit:

17 Part of the fractional Southwest quarter
18 of Section 7, Township 30 North, Range 12
19 East in Allen County, State of Indiana,
20 described as follows, to-wit:

21 Beginning at a point on the East line of
22 the fractional Southwest quarter of Section
23 7, Township 30 North, Range 12 East, said
24 point being situated 560.0 feet North of
25 the Southeast corner thereof; thence West
26 parallel to the South line thereof 698.25
27 feet; thence North 229.0 feet; thence North
28 81 degrees 36 minutes East 713.0 feet to a
29 point on the aforementioned East line of
30 the fractional Southwest quarter of Section
31 7, Township 30 North, Range 12 East; thence
32 South along said line 237.0 feet to the
33 point of beginning, containing 4.45 acres of
34 land more or less and subject to grants
35 of easement and rights of way over and across
the East 25 feet thereof for Getz Road.

AND

36 All that part of the southeast quarter of
37 the Fractional Southwest Quarter of Section
38 7, Township 30 North, Range 12 East in
39 Allen County, State of Indiana, described
40 as follows, to-wit:

41 Beginning at the Northeast corner of the
42 Southeast Quarter of the Fractional Southwest
43 Quarter of Section 7, Township 30 North,
44 Range 12 East in Allen County, State of
45 Indiana; thence South 30 minutes East along
the East line of the Southeast Quarter of
the Fractional Southwest Quarter of said
Section 7 a distance of 455.0 feet; thence
South 81 degrees 36 minutes West a distance
of 818.0 feet; thence North 20 minutes East

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4 a distance of 575.52 feet to the North line
5 of the Southeast Quarter of the fractional
6 Southwest Quarter of said Section 7; thence
7 South 89 degrees 54 minutes East along the
8 said North line of the Southeast Quarter
9 of the fractional Southwest Quarter of Section
7 a distance of 800.00 feet to the place of
beginning, containing 9.48 acres of land,
more or less; except that part sold off and
described as follows, to-wit:

10 Beginning at a point on the north line of
11 the Southeast Quarter of the Fractional
12 Southwest Quarter of Section 7, Township 30
13 North, Range 12 East, in Allen County, State
14 of Indiana, said point being situated 258.0
15 feet North 89 degrees, 54 minutes West from
16 the Northeast corner of the said Southeast
17 Quarter of the Fractional Southwest quarter
18 of Section 7, Township 30 North, Range 12
19 East; thence South 13 degrees, 45 minutes
20 East along the centerline of the Flaugh
21 Ditch 150 feet; thence South 49 degrees, 50
22 minutes West, continuing along the said
23 centerline of the Flaugh Ditch 640 feet;
24 thence South 81 degrees, 36 minutes West 90
25 feet; thence North 20 minutes East 575.2
26 feet to the aforementioned North line of the
27 Southeast Quarter of the Fractional South-
28 west quarter of Section 7, Township 30 North,
29 Range 12 East; thence South 89 degrees, 54
30 minutes East along the said line 542 feet to
31 the place of beginning, containing 5.16 acres
32 of land, more or less.

33 SECTION 2. This ordinance shall be in full force and
34 effect from and after its passage and approval by the Mayor and
35 legal publication thereof.

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John Spuebler
Councilman

APPROVED AS TO FORM
AND LEGALITY,
And H. To
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by V Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 10-23-73

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	_____	_____	_____	_____	
HINGA	_____	_____	_____	_____	
KRAUS	_____	_____	_____	_____	
MOSES	_____	_____	_____	_____	
NUCKOLS	_____	_____	_____	_____	
SCHMIDT, D.	_____	_____	_____	_____	
SCHMIDT, V.	_____	_____	_____	_____	
STIER	_____	_____	_____	_____	
TALARICO	_____	_____	_____	_____	

DATE: _____

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 23, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-10-52; and,

WHEREAS, the required notice of public hearing on such proposed ordinance was set for May 3, 1974, and public hearing to be held on May 13, 1974; and,

WHEREAS, the area known as the "Fringe Area" will be under the County Plan Commission's jurisdiction as of April 29, 1974; and,

WHEREAS, the property to be rezoned is located in the "Fringe Area";

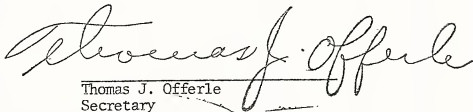
NOW THEREFORE, BE IT RESOLVED, that at their regular meeting of March 25, 1974, the City Plan Commission recommended that such proposed ordinance be WITHDRAWN by the petitioner, and resubmitted to the County Plan Commission;

BE IT FURTHER RESOLVED, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1974.

Certified and signed this
20th day of May, 1974.


Thomas J. Offerle
Secretary

RECEIPT

N^o 224

GENERAL FUND

FT. WAYNE, IND., Sept 20 1973RECEIVED FROM Hamilton and Arnold \$ 50.00THE SUM OF Fifty and 00/100 ¹⁰⁰ DOLLARSON ACCOUNT OF 3504 + 2350 Getz Rd.Velma Freeze
AUTHORIZED SIGNATURE



PAGE-JJ2

DATE - 9-20-73

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed
Intended Use

X/We Thomas W. Hamilton, Ruth A. Hamilton, Raymond E. Arnold, Doris A. Arnold
(Applicant's Name or Names)
do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RA District to a/an R3 District the property described as follows:

See Attached Exhibit

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Thomas W. Hamilton</u>	<u>2504 Getz Road</u>	<u><i>Thomas W. Hamilton</i></u>
<u>Ruth A. Hamilton</u>	<u>2504 Getz Road</u>	<u><i>Ruth A. Hamilton</i></u>
<u>Raymond E. Arnold</u>	<u>2350 Getz Road</u>	<u><i>Raymond E. Arnold</i></u>
<u>Doris A. Arnold</u>	<u>2350 Getz Road</u>	<u><i>Doris A. Arnold</i></u>
(Name)	(Address)	(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

<u>John M. Whitmore, Jr.</u>	<u>222 Utility Bldg.</u>	<u>743-0502</u>
(Name)	(Address)	(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

Bill No. Z-73-10-52

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. JJ2

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance w/draw PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
DJ Schmidt

6-11-74 CONCURRED IN
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

Part of the fractional Southwest quarter of Section 7, Township 30 North, Range 12 East in Allen County, State of Indiana, described as follows, to-wit:

Beginning at a point on the East line of the fractional Southwest quarter of Section 7, Township 30 North, Range 12 East, said point being situated 560.0 feet North of the Southeast corner thereof; thence West parallel to the South line thereof 698.25 feet; thence North 229.0 feet; thence North 81 degrees 36 minutes East 713.0 feet to a point on the aforementioned East line of the fractional Southwest quarter of Section 7, Township 30 North, Range 12 East; thence South along said line 237.0 feet to the point of beginning, containing 4.45 acres of land more or less and subject to grants of easement and rights of way over and across the East 25 feet thereof for Getz Road.

AND

All that part of the southeast quarter of the Fractional Southwest Quarter of Section 7, Township 30 North, Range 12 East in Allen County, State of Indiana, described as follows, to-wit:

Beginning at the Northeast corner of the Southeast Quarter of the Fractional Southwest Quarter of Section 7, Township 30 North, Range 12 East in Allen County, State of Indiana; thence South 30 minutes East along the East line of the Southeast Quarter of the Fractional Southwest Quarter of said Section 7 a distance of 455.0 feet; thence South 81 degrees 36 minutes West a distance of 818.0 feet; thence North 20 minutes East a distance of 575.52 feet to the North line of the Southeast Quarter of the fractional Southwest Quarter of said Section 7; thence South 89 degrees 54 minutes East along the said North line of the Southeast Quarter of the fractional Southwest Quarter of Section 7 a distance of 800.0 feet to the place of beginning, containing 9.48 acres of land, more or less; except that part sold off and described as follows, to-wit:

Beginning at a point on the north line of the Southeast Quarter of the Fractional Southwest Quarter of Section 7, Township 30 North, Range 12 East, in Allen County, State of Indiana, said point being situated 258.0 feet North 89 degrees, 54 minutes West from the Northeast corner of the said Southeast Quarter of the Fractional Southwest quarter of Section 7, Township 30 North, Range 12 East; thence South 13 degrees, 45 minutes East along the centerline of the Flaugh Ditch 150 feet; thence South 49 degrees, 50 minutes West, continuing along the said centerline of the Flaugh Ditch 640 feet; thence South 81 degrees, 36 minutes West 90 feet; thence North 20 minutes East 575.2 feet to the aforementioned North line of the Southeast Quarter of the Fractional Southwest quarter of Section 7, Township 30 North, Range 12 East; thence South 89 degrees, 54 minutes East along the said line 542 feet to the place of beginning, containing 5.16 acres of land, more or less.

Number assigned by Dave Keller's Office: # 3240

DIGEST SHEET

3-73-10-52

TITLE OF ORDINANCE Zoning Map Amendment OrdinanceDEPARTMENT REQUESTING ORDINANCE City Plan CommissionSYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment OrdinancePetition initiated by property owners to rezone property located as follows:

A parcel of ground containing 9 acres, more or less, located on the west side
of Getz Road, on the east side of the Flaugh Ditch, and approximately 160 feet
north of Wilmarbee Street.

From "RA" to "R3" Zone

EFFECT OF PASSAGE Property is presently zoned suburban residential
and as such, permits apartments. The "R3" zone also permits apartments, but
under the Board of Zoning Appeals

EFFECT OF NON-PASSAGE Property would remain suburban residential

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulations